COMBINED NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES & PETITION FOR Docket No. EXTENSION OF TIME UNDER 37 C.F.R. 1.136(a) (Small Entity) 22369 (H27809) In Re Application Of: Tomas Brodsky Application No. Filing Date Examiner Customer No. Group Art Unit Confirmation No. 10/772,892 February 4, 2004 John B. Strege 23389 2624 5359 Invention: SYSTEM AND METHOD FOR COUNTING CARS AT NIGHT **COMMISSIONER FOR PATENTS:** This is a combined Notice of Appeal from the Primary Examiner to the Board of Patent Appeals and Interferences and petition under the provisions of 37 CFR 1.136(a) to extend the period for filing a response to the Office Action of <u>September 26, 2008</u> in the above-identified application. Date Applicant(s) hereby appeal(s) to the Board of Patent Appeals and Interferences from the decision of the Primary Examiner dated September 26, 2008 finally rejecting Claim(s) 1-7, 12-17, 22-25, 28-30, 32-33, 36-38 and 40 Applicant(s) hereby request(s) an extension of time of (check desired time period): ☑ One month ☐ Two months ☐ Three months ☐ Four months Five months from: December 26, 2008 until: January 26, 2009 Date Date The fee for the Notice of Appeal and Extension of Time has been calculated as shown below: Fee for Notice of Appeal: Fee for Extension of Time: \$65.00 TOTAL FEE FOR NOTICE OF APPEAL AND EXTENSION OF TIME: \$335.00 The fee for the Notice of Appeal and extension of time is to be paid as follows: ☐ A check in the amount of for the Notice of Appeal and extension of time is enclosed. Please charge Deposit Account No. 19-1013/SSMP in the amount of \$335.00 The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 19-1013/SSMP Any additional filing fees required under 37 C.F.R. 1.16. Any patent application processing fees under 37 CFR 1.17. If an additional extension of time is required, please consider this a petition therefor and charge any additional fees which may be required to Deposit Account No. 19-1013/SSMP Payment by credit card. Form PTO-2038 is attached. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

COMBINED NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES & PETITION FOR **EXTENSION OF TIME UNDER 37 C.F.R. 1.136(a) (Small Entity)**

Docket No. 22369 (H27809)

In Re Application Of:

Tomas Brodsky

Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
10/772,892	February 4, 2004	John B. Strege	00128	2624	5359

Invention:

SYSTEM AND METHOD FOR COUNTING CARS AT NIGHT

TO THE COMMISSIONER FOR PATENTS:

This combined Notice of Appeal from the Primary Examiner to the Board of Patent Appeals and Interferences and petition for extension of time under 37 CFR 1.136(a) is respectfully submitted by the undersigned:

Signature

Paul J. Esatto, Jr.

Registration No. 30,749 Scully, Scott, Murphy & Presser, P.C.

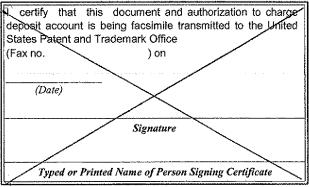
400 Garden City Plaza, Suite 300

Garden City, New York 11530

516-742-4343

Dated: January 26, 2009

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